

Message Text

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ACTION IO-14

INFO OCT-01 EUR-12 ISO-00 AF-10 ARA-10 EA-10 NEA-11
ACDA-12 CIAE-00 INR-10 L-03 NSAE-00 NSC-05 EB-08
NRC-05 OES-07 SOE-02 DODE-00 SS-15 SP-02 CEQ-01
OIC-02 /140 W

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P 221442Z JUN 78
FM AMEMBASSY VIENNA
TO SECSTATE WASHDC PRIORITY 6929
INFO USDOEHQ WASHDC
USDOEHQ GERMANTOWN

C O N F I D E N T I A L SECTION 01 OF 02 VIENNA 05730

USIAEA

DEPT PASS IO/SCT
DOE FOR AMMONS, IA

E.O. 11652: GDS
TAGS: AORG, OCON, IAEA
SUBJECT: AMENDMENT OF ARTICLE VI OF STATUTE: NEW
PROPOSAL

REFS: (A) STATE 83307, (B) VIENNA 5333

SUMMARY: AGENCY HAS CIRCULATED NEW PROPOSAL FOR
ENLARGEMENT OF IAEA BOARD TO 36 MEMBERS. MISSION
BELIEVES WE SHOULD AND PROBABLY CAN SUCCESSFULLY
OPPOSE THIS PROPOSAL, BUT ONLY IF WEO AND EE
MEMBER STATES ALSO HOLD THE LINE. THIS MESSAGE
ADDRESSES, INTER ALIA, POSSIBLE STRATEGIES FOR
DEFEATING PROPOSAL. END SUMMARY.

1. AT REQUEST OF CO-SPONSORS (PAKISTAN, IRAN,
SAUDI ARABIA), DIRECTOR GENERAL HAS CIRCULATED TO
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ALL MEMBER STATES NEW PROPOSAL (COPIES POUCHED
DEPT) FOR AMENDMENT OF ARTICLE VI A.2(A) OF STATUTE
WHICH WOULD PROVIDE ONE ADDITIONAL ELECTIVE BOARD
SEAT EACH FOR REGIONS OF AFRICA (AF) AND MIDDLE EAST
AND SOUTH ASIA (MESA). PROPOSAL DOES NOT CHANGE
PROVISION IN ARTICLE VI A.2(A) BARRING REELECTION TO
BOARD IN THIS CATEGORY. AS NOTED REF B, THIS PROPOSAL

WILL BE ADDRESSED BY PRE-GENERAL CONFERENCE BOARD MEETING IN SEPTEMBER AND, IF EVENTS FOLLOW THEIR NATURAL COURSE, BY GENERAL CONFERENCE (ALONG WITH BOARD'S "OBSERVATIONS", PURSUANT ARTICLE XVIII C).

2. WHILE PROPOSAL IS CLEARLY A RETREAT FROM UNSUCCESSFUL THREE PLUS TWO PROPOSAL THUS FAR UNDER DISCUSSION, MISSION BELIEVES THAT "FIRM U.S. OPPOSITION TO ANY INCREASE IN THE SIZE OF THE BOARD" (REF A) SHOULD CONTINUE. OUR FUNDAMENTAL REASON FOR THIS, IN ADDITION TO ARGUMENTS SET FORTH IN PARA 2, REF A, IS THAT WE STAND NOTHING TO GAIN AND POTENTIALLY MUCH TO LOSE IN TERMS OF OUR INTERESTS IN THE AGENCY IN ANY ARRANGEMENT BY WHICH DECISIONS OF THE BOARD COULD BE DOMINATED BY THE VIEWS OF 20 MEMBERS OF THE G-77 OUT OF 36 BOARD MEMBERS. THE G-77 ALREADY HAS A BARE MAJORITY OF 18 OUT OF 34 BOARD SEATS; MORE THAN THAT WOULD ENABLE THE LDC'S TO DOMINATE HANDILY NOT ONLY IN WHATEVER VOTING MAY TAKE PLACE IN THE FUTURE, BUT IN SHAPING OF CONSENSUS DECISIONS AS WELL.

3. THAT THIS PROPOSAL IS OR WILL BECOME A BURNING CAUSE OF THE G-77 IS OPEN TO QUESTION. ABSENCE OF AF CO-SPONSORSHIP THUS FAR SUGGESTS A LACK OF ENTHUSIASM AMONG THOSE MEMBERS FOR LESS THAN A THREE PLUS TWO ENLARGEMENT. NOT ALL LA STATES REPRESENTED IN VIENNA SUPPORT PROPOSAL (COLOMBIA

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AND PERU ARE REPORTEDLY AMONG THOSE OPPOSED). MOREOVER, AMBASSADOR SATTAR HAS INDICATED THAT PAKISTAN WILL NOT RPT NOT "PUSH" PROPOSAL VIGOROUSLY IF BROAD SUPPORT IS NOT FORTHCOMING. NEVERTHELESS, FOR PLANNING PURPOSES WE SHOULD ASSUME THAT MAJOR EFFORT WILL BE MADE AT GENERAL CONFERENCE TO ADOPT AMENDMENT TO STATUTE.

4. ARTICLE XVIII C(I) PROVIDES THAT AMENDMENT TO THE STATUTE MUST BE "APPROVED BY THE GENERAL CONFERENCE BY A TWO-THIRDS MAJORITY OF THOSE PRESENT AND VOTING. . . ." PUT ANOTHER WAY, ONE-THIRD PLUS ONE OF THOSE PRESENT AND VOTING CAN BLOCK ADOPTION OF AN AMENDMENT. ASSUMING THAT ATTENDANCE AT GENERAL CONFERENCE IS WITHIN THE RANGE OF FROM 80 TO 92 OF THE 110 MEMBER STATES WHICH HAVE ATTENDED LAST THREE SESSIONS OF THE GENERAL CONFERENCE, THE ODDS OF BEING ABLE TO DEFEAT AMENDMENT ARE QUITE GOOD, BASED ON FOLLOWING PREMISES:

(A) HABITUAL ABSENTEES ARE ALL LDC'S; OVER HALF OF WHICH ARE MEMBERS FROM AREAS NOT BENEFITTING FROM ENLARGEMENT (AND THUS UNLIKELY TO BE SUSCEPTIBLE TO

PRESSURE TO ATTEND IN ORDER SUPPORT PROPOSAL);

(B) WE HAVE NO RPT NO EVIDENCE WHICH SUGGESTS THAT OTHER DEVELOPED STATES WILL FOLLOW AUSTRALIA'S EXAMPLE AND SUPPORT BG ENLARGEMENT; MISSION ESTIMATES THAT WE CAN COUNT ON AT LEAST 31 STATES FROM WEO GROUP AND EE AREA TO OPPOSE AMENDMENT AND POSSIBLY AS MANY AS 36. (THE THIRTY-ONE ARE: BELGIUM, BULGARIA, BYELORUSSIA, CANADA, CZECHOSLOVAKIA, DENMARK, FINLAND, FRANCE, GDR, FRG, HUNGARY, ICELAND, IRELAND, ISRAEL, ITALY, JAPAN, LIECHTENSTEIN, LUXEMBOURG, MONACO, NETHERLANDS, NORWAY,

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C O N F I D E N T I A L SECTION 02 OF 02 VIENNA 05730

POLAND, PORTUGAL, SOUTH AFRICA, SPAIN, SWEDEN, SWITZERLAND, UKRAINE, USSR, UK, US. FIVE POSSIBLES ARE GREECE, HOLY SEE, MONGOLIA, NEW ZEALAND, TURKEY).

5. DEPT MAY WISH CONSIDER HIGH LEVEL APPROACH TO MUNIR KHAN AND/OR PAK FONOFF, MAKING CLEAR OUR FIRM OPPOSITION TO BG ENLARGEMENT, NOTING STRENGTH OF SENTIMENT SUPPORTING OUR POSITION AND SUGGESTING PAKISTANIS RECONSIDER COSTS, IN TERMS OF DIVISIVE CONFRONTATION, OF PUSHING AHEAD.

6. IN ANY CASE, WE RECOMMEND THAT APPROACHES BE MADE IN WEO CAPITALS - INCLUDING ALL FOUR NORDICS - BEFORE THE AUGUST HOLIDAYS, WITH A VIEW TO (A) STATING OUR POSITION AS CONTAINED PARA 2 REF A AND TAKING AN UPDATED READING OF POSITIONS ON THIS ISSUE, (B) URGING BROADEST POSSIBLE ATTENDANCE AT GENERAL

CONFERENCE OF LIKE-MINDED STATES (C) SUGGESTING THAT
THOSE GOVERNMENTS IN A POSITION USEFULLY TO DO SO
ENLIST SUPPORT OF GOVERNMENTS OF GREECE, TURKEY,
NEW ZEALAND, PERU, COLOMBIA, URUGUAY, AUSTRIA AND
HOLY SEE (LATTER COULD BE APPROACHED BY ITALY). IN
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ANY EVENT, MISSION RECOMMENDS US MAKE ITS OWN
APPROACHES TO THESE EIGHT GOVERNMENTS AND TO REPUBLIC
OF KOREA, WHICH HAS SUPPORTED AMENDMENT OF ARTICLE VI
IN BOARD DISCUSSION, BUT WHICH MIGHT BE PERSUADED
TO ABSTAIN OR ABSENT ITSELF FROM VOTE. FINALLY,
APPROACH IN MOSCOW MIGHT BE USEFUL IN ASSURING THAT
MONGOLIA WILL VOTE AGAINST AMENDMENT. KIRK

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